

ENTERED

June 22, 2021

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION**

CHASE YARBROUGH, §
§
VS. § 3:20-cv-00322
§
SANTA FE INDEPENDENT §
SCHOOL DISTRICT, *et al.*, §

**ORDER ADOPTING MAGISTRATE JUDGE'S
MEMORANDUM AND RECOMMENDATION**

On February 23, 2021, all non-dispositive pretrial matters in this case were referred to United States Magistrate Judge Andrew M. Edison pursuant to 28 U.S.C. § 636(b)(1)(A). Dkt. 34. Judge Edison filed a memorandum and recommendation on May 25, 2021, recommending that Defendants' Motion to Dismiss Plaintiff's First Amended Complaint Pursuant to Rule 12(b)(6) (Dkt. 23) be granted. *See* Dkt. 35.

On June 17, 2021, the plaintiff filed his objections to the memorandum and recommendation. *See* Dkt. 40. In accordance with 28 U.S.C. § 636(b)(1)(C), this court is required to "make a de novo determination of those portions of the [magistrate judge's] report or specified proposed findings or recommendations to which objection [has been] made." After conducting this de novo review, the court may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." *Id.*; *see also* FED. R. CIV. P. 72(b)(3).

The court has carefully considered the objections; the memorandum and recommendation; the pleadings; and the record. The court accepts Judge Edison's

memorandum and recommendation and adopts it as the opinion of the court. It is therefore ordered that:

- (1) Judge Edison's memorandum and recommendation (Dkt. 35) is approved and adopted in its entirety as the holding of the court; and
- (2) Defendants' Motion to Dismiss Plaintiff's First Amended Complaint Pursuant to Rule 12(b)(6) (Dkt. 23) is granted

SIGNED on Galveston Island this 22nd day of June 2021.



JEFFREY VINCENT BROWN
UNITED STATES DISTRICT JUDGE